

# Agenda

## History and Enforcement of the National Environmental Policy Act (NEPA)

- Purpose of NEPA
- Actions which require NEPA review
- Overview of the NEPA review process

R. Deverman  
J. Wilson-McNerney

## Qualifying for Categorical Exclusion (CATEX) under NEPA

R. Deverman  
J. Wilson-McNerney

## Preparing and Responding to Environmental Assessments (EA)

- Type of actions that require environmental assessments
- Action's effects on the human environment
- Preparation and review of environmental assessment
- Preparation of Finding of No Significant Impact (FONSI)
- Challenging a FONSI

R. Deverman  
J. Wilson-McNerney

## The Environmental Impact Statement (EIS) Process

- Preparation of Notice of Intent (NOI)
- Publication of draft and final EIS
- Preparation of record of decision
- Supplemental EIS
- Judicial review and remedies

M. Smith

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## The National Environmental Policy Act (NEPA) Review Process

Live, Interactive Webinar - Monday, April 22, 2024

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## Learning Objectives

### You'll be able to:

**Identify** actions which require review under the National Environmental Policy Act (NEPA).

**Learn** what actions qualify for categorical exclusion (CATEX) under NEPA.

**Get tips on** preparing and reviewing environmental assessments.

**Learn** about preparing and challenging findings of no significant impact (FONSI).

**Explore** the environmental impact statement (EIS) process.

**Examine** options for judicial review and remedies.



## HalfMoon Education Live Webinars

# The National Environmental Policy Act (NEPA) Review Process

Live, Interactive Webinar - Monday, April 22, 2024



**Explore** the purpose of the National Environmental Policy Act (NEPA)

**Identify** actions which require NEPA review

**Identify** actions that qualify for categorical exclusion (CATEX) under NEPA

**Prepare** and respond to environmental assessments

**Learn** about preparing and challenging findings of no significant impact (FONSI)

**Examine** the environmental impact statement (EIS) process

### Continuing Education Credits

**Engineers**  
6.0 PDHs\*

**Attorneys**  
6.0 CLE Hours  
(AZ, CA, CT, TX, VT, WA)  
7.0 CLE Hours (NY)



# Webinar Information

## Log into Webinar

8:30 - 9:00 am CDT

## Break

11:15 - 11:45 am CDT

## Morning Session

9:00 - 11:15 am CDT

## Afternoon Session

11:45 am - 4:00 pm CDT

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# Faculty

**Michael D. Smith, Ph.D.** is a nationally-recognized leader in National Environmental Policy Act (NEPA) compliance with over 29 years of experience in project and program management, technical analysis, policy development, and training/education for a wide range of public and private sector clients. He is currently a senior vice president and the national practice leader for WSP USA's Environmental Policy and Process Group. Mr. Smith has managed and provided compliance review for some of the nation's largest, most complex, and highly controversial projects, including major energy, transportation, and water infrastructure projects, regulation of genetically engineered plants, commercial space transportation operations, and approval of new fuel economy standards for all vehicles operated in the U.S. He has provided training and strategic advice for NEPA, CEQA, and related environmental compliance requirements as a faculty member at the UC Davis Extension Planning and Sustainability Program, the UCLA Extension Environmental Studies and Sustainability Programs, the NEPA Certificate Program at the Quinney College of Natural Resources at Utah State University, and as a senior consultant at The Shipley Group. From 2008 until the program ended in 2014, Mr. Smith was a faculty instructor for the NEPA Certificate Program at the Nicholas School of the Environment at Duke University, a program offered in conjunction with the White House Council on Environmental Quality (CEQ). He is a past recipient of a Science & Technology Policy Fellowship with the American Association for the Advancement of Science (AAAS) at EPA's Office of Water and Office of Federal Activities in Washington, DC. From 1998 to 2007, he was a professor of Environmental and Natural Resources Sciences at Humboldt State University (now California State Polytechnic University, Humboldt) in northern California.

**Ron Deverman** is vice president and national environmental planning leader for STV, a national planning, engineering, and architecture firm. Mr. Deverman has over 35-years-experience managing NEPA environmental impact assessment projects for transportation infrastructure improvements. He oversaw Phase I environmental, Phase II design, and Phase III construction management services for the \$5 billion Chicago Region Environmental and Transportation Efficiency (CREATE) program, a public-private partnership between the USDOT, IDOT, CDOT, Cook County, Metra, Amtrak, AAR, and the nation's freight railroads. Mr. Deverman is currently managing the Rock Island Third Main Improvements Project, a 41-mile rail and yard improvements project. He is a past president of the National Association of Environmental Professionals (NAEP) and IAEP (IL Chapter) and he is the chair of NAEP's Leadership Development Committee. He is a Certified Environmental Professional by Eminence and a NAEP Fellow for his service and over 30-year commitment to NAEP and the environmental professions. Mr. Deverman is a board trustee of the Academy of Board-Certified Environmental Professionals (ABCEP), a member of The Council of Engineering and Scientific Specialty Boards. He is also an adjunct professor at Northwestern University teaching a Masters in Project Management course in NEPA and Context Sensitive Solutions. He is a Founding Board Director of the International Professional Association of Transport and Health (IPATH). Mr. Deverman farmed for a living while attending college, and he is currently the Farm LLC business manager. His education includes a B.S. degree in Civil Engineering from the University of Illinois in Urbana, an M.A. degree in English from the University of Illinois in Springfield, and post-graduate studies in NEPA and related environmental studies.

**Julie Wilson-McNerney** is of Counsel with Schwabe. She provides legal advice to public- and private-sector developers building commercial, industrial, and infrastructure projects in a wide range of settings, from high-density urban centers to remote rural areas and coastline zones. Ms. Wilson-McNerney also defend project approvals before local and state administrative review boards and in federal and state court, when necessary. Whether managing the interlocking pieces of generational infrastructure projects or landmark renovations, she leverages her network of consultant relationships to support strategic, efficient, and successful project development. Ms. Wilson-McNerney represents private and public owners and developers of large retail, office, sports and entertainment, industrial, energy, multifamily residential, and other commercial projects. These projects often entail navigating complex regulatory requirements; appropriately scaled environmental review; and thoughtful negotiations with agencies, Native American tribes, and project neighbors. She also collaborates with clients on water supply and water rights issues in project development and assists in land use, environmental, and water rights due diligence for corporate and real estate transactions. Ms. Wilson-McNerney earned her J.D. degree, *summa cum laude*, from the University of Arizona, James E. Rogers College of Law.

# Credit Information

This webinar is open to the public and is designed to qualify for 6.0 PDHs for professional engineers in most states that allow this learning method and for whom this subject matter is professionally relevant. \*This course is not approved in New York; please refer to specific state rules to determine eligibility.

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